

1  
2  
3  
4  
5  
6  
7  
8  
9  
10 KYLE VIRAY, an individual,  
11 Plaintiff,

12 v.  
13 DARRIUS LARNARD MATHIS, an individual;  
14 DOES I - X, inclusive; and ROE BUSINESS  
15 ENTITIES I - X, inclusive,  
16 Defendants.

17 CASE NO.: 2:23-cv-00270-ART-BNW  
18  
19 ORDER APPROVING

20 STIPULATION TO EXTEND TIME  
21 TO FILE RESPONSE TO  
22 INTERVENOR AND CROSS-  
23 DEFENDANT LM GENERAL  
24 INSURANCE COMPANY'S MOTION  
25 TO DISMISS PLAINTIFF'S FIRST  
26 AMENDED CROSS-CLAIM [ECF 18]  
27 AND RESPONSES TO PLAINTIFF'S  
28 FIRST MOTION TO REMAND  
[ECF 12] AND SECOND MOTION TO  
REMAND [ECF 13]

(First Request on Motion to Dismiss,  
Second Request on Motions to Remand)

20 LM GENERAL INSURANCE COMPANY,  
21 Intervenor.

22 KYLE VIRAY, an individual,  
23 Cross-Claimant,

24 v.  
25 LM GENERAL INSURANCE COMPANY,  
26 Cross-Defendant.

1           Intervenor and Cross-Defendant LM General Insurance Company (“LMGIC”) and Plaintiff  
2 Kyle Viray (“Viray”) by and through their attorneys, hereby stipulate and request that the Court  
3 extend the time for Viray to file a response regarding LMGIC’s Motion to Dismiss Plaintiff’s First  
4 Amended Cross-Claim (ECF 18) and request that the Court extend the time for LMGIC to file  
5 responses to Plaintiff’s First Motion to Remand (ECF 12) and Second Motion to Remand (ECF 13).  
6 The parties have stipulated to extend the response deadlines to **April 20, 2023**.

7           The parties have been in settlement discussions and are hopeful that the claim will resolve.  
8 The parties are also discussing potential options to resolve portions of the claim, in the event the  
9 case does not settle. The parties are requesting an extension of the deadlines in the event that the  
10 claim does not resolve. Good cause exists to grant this extension as the parties wish to conserve  
11 costs towards a settlement and/or claim resolution so that these pending responses may no longer  
12 be necessary.

13           This is the parties’ first request to extend the briefing schedule relating to the Motion to  
14 Dismiss Plaintiff’s First Amended Cross-Claim (ECF No. 18) and the parties’ second request to  
15 extend the briefing schedules relating to Plaintiff’s First Motion to Remand (ECF 12) and Second  
16 Motion to Remand (ECF 13). .

17           ///

18           ///

19           ///

20           ///

21           ///

22           ///

23           ///

24           ///

25           ///

26           ///

27           ///

28           ///

1                   Respectfully Submitted,

2                   Dated: March 30, 2023

3                   LAW OFFICE OF DAVID SAMPSON, LLC CLYDE & CO US LLP

4

5                   /s/ David F. Sampson

6                   DAVID F. SAMPSON, ESQ.,  
7                   Nevada Bar No. 6811  
8                   LAW OFFICE OF DAVID SAMPSON, LLC.  
9                   630 S. 3rd Street  
10                  Las Vegas, NV 89101  
11                  Tel: 702-605-1099  
12                  Fax: 888-209-4199  
13                  Email: [david@davidsampsonlaw.com](mailto:david@davidsampsonlaw.com)

14                   /s/ Dylan Todd

15                  Amy M. Samberg (NV Bar No. 10212)  
16                  [amy.samberg@clydeco.us](mailto:amy.samberg@clydeco.us)  
17                  Dylan P. Todd (NV Bar No. 10456)  
18                  [dylan.todd@clydeco.us](mailto:dylan.todd@clydeco.us)  
19                  7251 W. Lake Mead Blvd., Suite 430  
20                  Las Vegas NV 89128  
21                  Telephone: 725-248-2900  
22                  Facsimile: 725-248-2907

23                  *Attorney for Plaintiff of Counsel*

24                  *Attorneys for Intervenor and Cross-Defendant*  
25                  *LM General Insurance Company*

26                  PRESTON P. REZAEI, ESQ.  
27                  Nevada Bar No. 10729  
28                  THE FIRM, P.C.  
29                  630 South Third Street  
30                  Las Vegas, NV 89101  
31                  Ph: (702) 222-3476  
32                  Fx: (702) 252-3476  
33                  [Preston@TheFirm-LV.com](mailto:Preston@TheFirm-LV.com)

34                  *Attorneys for Plaintiff*

35                   **ORDER**

36                  IT IS HEREBY ORDERED that the parties' Stipulation for Extension of Time to extend  
37                  the time for Plaintiff Viray to file a response regarding LMGIC's Motion to Dismiss Plaintiff's  
38                  First Amended Cross-Claim (ECF 18) and extend the time for LMGIC to file responses to  
39                  Plaintiff's First Motion to Remand (ECF 12) and Second Motion to Remand (ECF 13). The parties  
40                  have stipulated to extend the response deadlines to **April 20, 2023**.

41                  DATED: April 3, 2023

42                    
43                  ANNE R. TRAUM

44                  UNITED STATES DISTRICT JUDGE